

## **REMARKS/ARGUMENTS**

The Office Action mailed January 24, 2008 has been carefully considered. Reconsideration in view of the following remarks is respectfully requested.

Applicant hereby requests acknowledgement of the Information Disclosure Statement filed on February 6, 2008.

Claims 1, 3, 10, 15, and 17 have been amended to further particularly point out and distinctly claim subject matter regarded as the invention. Support for these changes may be found in the specification, such as in paragraph [0185].

### **Examiner Interview**

Applicant and Applicant's Attorney thanks the Examiner for her time and help in furthering prosecution of this application. The prior art reference, Crevelt, was discussed but no agreement was reached.

### **The 35 U.S.C. § 103 Rejection**

Claims 1-15, 17-19 and 21, 27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Crevelt et al. (U.S. Patent No. 5,902,983) in view of Johnson (U.S. Publication No. 2001/0031663 A1), among which Claims 1, 10, and 17 are independent claims. This rejection is respectfully traversed.

Specifically, the Office Action contends that the elements of the presently claimed invention are disclosed in Crevelt except that "Crevelt does not expressly teach that the player is prevented from playing the plurality of gaming devices based upon a predetermined criteria and the player's financial loss (claim 1), wherein the predetermined criteria is a predetermined period of time (Claim 21)." The Office Action further contends that Johnson discloses that the player is prevented from playing the plurality of gaming devices based upon a predetermined criteria and the player's financial loss, wherein the predetermined criteria is a predetermined period of time" and that it "would have been obvious to one of ordinary skill in the art at the time

of Applicant's invention to modify Crevelt such that the player is prevented from playing the plurality of gaming devices based upon a predetermined criteria and the player's financial loss, ... in order to help curb gambling problems as well as jurisdictional restrictions regarding gambling loss limits." The Applicants respectfully disagree for the reasons, among others, set forth below.

Amended Claim 1 provides for: "means for automatically creating a data file for the player at the financial transaction host if there is no data file associated with the player, wherein the data file is matched with the player using a unique identifier associated with an outside financial institution." Amended Claims 10 and 17 provide for a similar feature. As stated in the Specification, "in one embodiment, a player may obtain funds from an outside source, such as from a bank or other financial institution by use of an ATM card or credit card. ... When a player places such a request, if an account is not already created for the player, one is created. In this arrangement, the player may be identified by unique information associated with the ATM, credit card or other outside banking account. ... This aspect of the invention is advantageous in that it allows a casino to monitor player activities, and in particular financial activities which may relate to losses, even though a player does not utilize the casino's player tracking system. Thus, the system allows a casino to monitor a player's activity even if the player plays one or more games which do not include monitoring capabilities, where the player is not a patron of the casino's player tracking system, or does not use their card or otherwise specifically identify themselves." (paragraphs [0185], [0187]).

The combination of Crevelt and Johnson does not teach the feature of "means for automatically creating a data file for the player at the financial transaction host if there is no data file associated with the player, wherein the data file is matched with the player using a unique identifier associated with an outside financial institution." Rather, Crevelt teaches that if "an EFT event occurs at a gaming machine (e.g., a request for the preset playing credit) ... the EFT processor 72 has read access to the main customer database 64 so that it can get account information, etc." (Col. 8, lines 49-51). Thus, Crevelt teaches utilizing the main customer

database to obtain patron information and not “a unique identifier associated with an outside financial institution” as claimed in Claim 1.

Accordingly, since the combination of prior art references do not teach each and every element, and the combination of prior art references would not result in the claimed invention, it can not be said to anticipate the claimed invention. As to dependent claims 2-9, 11-15, 18-19 and 21-27, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable. It is respectfully requested that this rejection be withdrawn.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

Conclusion

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited and Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Applicant hereby petitions for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 504481 (Order No. IGT1P130X2).

Respectfully submitted,  
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